

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIPS AMADOR, *et al.*,

Plaintiffs,

-v-

MORGAN STANLEY & CO. LLC, *et al.*,

Defendants.

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No. 11 Civ. 4326 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of the parties' joint letter, dated September 14, 2012, setting forth their respective positions regarding a discovery dispute between the parties involving the deposition length for Opt-In Plaintiffs. Defendants seek to depose each of the five Opt-In Plaintiffs for up to seven hours, while Plaintiffs refuse to produce each of the Opt-in Plaintiffs for any deposition longer than two hours. After considering the respective arguments of the parties, the Court agrees with Defendants that they are entitled to depose each of the Opt-in Plaintiffs for up to seven hours, as expressly contemplated in the Federal Rules of Civil Procedure. *See* Fed. R. Civ. P. 30(a), (d)(1).

Accordingly, IT IS HEREBY ORDERED that Plaintiffs shall produce each Opt-In Plaintiff for a deposition of up to seven hours. Although it appears unlikely to the Court that each of the depositions will ultimately last the full seven hours, the Court reminds the Opt-In Plaintiffs that serving as a Plaintiff or an Opt-In Plaintiff requires more than a minimal commitment.

SO ORDERED.

Dated: September 18, 2012
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE